

DEPARTMENT OF THE NAVY BUREAU OF NAVAL PERSONNEL 5720 INTEGRITY DRIVE MILLINGTON TN 38055-0000

5720 PERS 00J6/20170366 May 8, 2017

Mr. Jose J. Iturradle 1655 E. University Drive Apt. BA 2004D Tempe, AZ 85281

Dear Mr. Iturradle:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT (FOIA) REQUEST

This is in response to your Freedom of Information Act (FOIA) request in which you seek a releasable copy of enlistment and DD Form 214 information pertaining to Christopher M. Ness. Your request was received in this office on May 8, 2017, has been assigned FOIA case file number CNPC20170366 by this command.

A releasable copy of available responsive documentation is enclosed. The redacted portions of the released documentation are exempt from disclosure under FOIA exemption 6 [5 U.S.C. § 552(b)(6)]. Release of such information would be a clearly unwarranted invasion of the personal privacy of Christopher M. Ness and other identified individuals.

Because your request is partially denied by this command, you are advised of your right to appeal this determination in writing to the Office of the Judge Advocate General, OJAG Code 14, 1322 Patterson Avenue SE Suite 3000, Washington Navy Yard, DC 20374-5066.

If an appeal is deemed necessary, it must be received in that office within 90 calendar days from the date of this letter, in order to be considered. To expedite an appeal, you should enclose a copy of this letter and a copy of the original request along with a statement regarding why your appeal should be granted. The letter of appeal and the envelope should bear the notation, "FOIA/PA APPEAL."

I am the official responsible for the partial denial of your request. Should you wish to discuss the processing of your request by this command, you may contact the undersigned at

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(901) 874-3165. You may also contact the DON FOIA Public Liaison, Christopher Julka, at Christopher.a.julka@navy.mil or (703) 697-0031.

Sincerely,

D. P. GERMAN

FOIA/PA Officer

By direction

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SPECIAL ADDITION

21. TYPE OF SEPARATION

DISCHARGED

25. SEPARATION AUTHORITY

26 SEPARATION CODE

27. REENTRY CODE

28. NARRATIVE REASON FOR SEPARATION

29. DATES OF TIME LOST DURING THIS PERIOD (YYYYMMDD)

30, MENBER DECOMPOSE AND PAR

(Indias,

ENLISTMENT/REENLISTMENT DOCUMENT ARMED FORCES OF THE UNITED STATES

PRIVACY ACT STATEMENT

AUTHORITY: 5 U.S.C. 3331; 10 U.S.C. 113, 138, 502, 504, 505, 506, 507, 508, 509, 510, 513, 515, 516, 518, 519, 972, 978, 2107, 2107a, 3258, 3252, 5540, 8252, 8253, 8257, 8258, 12102, 12104, 12105, 12106, 12107, 12108, 12301, 12302, 12304, 12305, 12405; 14 USC 351, 832; 32 U.S.C. 301, 302, 303, 304; and Executive Order 9397, November 1943 (SSN).

PRINCIPAL PURPOSE(S): To record enlistment or reenlistment into the U.S. Armed Forces. This information becomes a part of the subjects military personnel records which are used to document promotion, reassignment, training, medical support, and other personnel management actions. The purpose of soliciting the SSN is for positive identification.

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C. The agreements in this section and attached annex(es) are all the promises made to me by the Government. ANYTHING ELSE ANYONE HAS PROMISED ME IS NOT VALID AND WILL NOT BE HONORED.

(initials of Enlistee/Reenlistee) Biometrically Signed

(Continued on Page 2)

C. PARTIAL STATEMENT OF EXISTING UNITED STATES LAWS

- 9. FOR ALL ENLISTEES OR REENLISTEES:

 I understand that many laws, regulations, and military customs will govern my conduct and require me to do things under this agreement that a civilian does not have to do. I also understand that various laws, some of which are listed in this agreement, directly affect this enlistment/reenlistment agreement. Some examples of how existing laws may affect this agreement are explained in paragraphs 10 and 11. I understand that I cannot change these laws but that Congress may change these laws, or pass new laws, at any time that may affect this agreement, and that I will be subject to those laws and any changes they make to this agreement. I further understand that: agreement. I further understand that:
- a. My enlistment/reanlistment agreement is more than an employment agreement. It effects a change in status from civilian to military member of the Armed Forces. As a member of the Armed Forces of the United States, I will be:
- (1) Required to obey all lawful orders and perform all assigned duties.
- (2) Subject to separation during or at the end of my enlistment. If my behavior falls to meet acceptable military standards, I may be discharged and given a certificate for less than honorable service, which may hurt my future job opportunities and my claim for veteran's benefits.
- (3) Subject to the military justice system, which means, among other things, that I may be tried by military courts-martial.
- (4) Required upon order to serve in combat or other hazardous situations.
- (5) Entitled to receive pay, allowances, and other benefits as provided by law and regulation. $\label{eq:continuous}$
- b. Laws and regulations that govern military personnel may change without notice to me. Such changes may affect my status; pay, allowances, benefits, and responsibilities as a member of the Armed Forces REGARDLESS of the provisions of this enlistment/ reenlistment document
- 10. MILITARY SERVICE OBLIGATION, SERVICE ON ACTIVE DUTY AND STOP-LOSS FOR ALL MEMBERS OF THE ACTIVE AND RESERVE COMPONENTS, INCLUDING THE NATIONAL
- a. FOR ALL ENLISTEES: If this is my initial enlistment, I must a. FOR ALL ENLISTEES: It this is my initial emistrient, I must serve a total of eight (8) years, unless I am sooner discharged or otherwise extended by the appropriate authority. This eight year service requirement is called the Military Service Obligation. Any part of that service not served on active duty must be served in the Reserve Component of the service in which I have arbitated, if this is a reselfathment I must serve the number of warrs specified in this Heserva Component of the service in which: have entisted, if this is a reenlistment, I must serve the number of years specified in this agreement, unless I am sooner discharged or otherwise extended by the appropriate authority. Some laws that affect when I may be ordered to serve on active duty, the length of my service on active duty, and the length of my service in the Reserve Component, even beyond the eight years of my Military Service Obligation, are discussed in the following paragraphs.
- b. I understand that I can be ordered to active duty at any time while I am a member of the DEP. In a time of war, my enlistment may be extended without my consent for the duration of the war and for six months after its end (10 U.S.C. 506, 12103(0)).
- c. As a member of a Reserve Component of an Armed Force, in time of war or of national emergency declared by the Congress, I may, without my consent, be ordered to serve on active duty, for the entire period of the war or emergency and for six (6) months after its end (10 U.S.C. 12301(a)). My enlistment may be extended during this period without my consent (10 U.S.C. 12103(c)).

- d. As a member of the Ready-Reserve (to include Delayed Entry Program), in time of national emergency declared by the President, I may, without my consent, be ordered to serve on active duty, and my military service may be extended without my consent, for not more than 24 consecutive monitis (10 U.S.C. 12302). My enlistment may be extended during this period without my consent (see paragraph 10g).
- e. As a member of the Ready Reserve, I may, at any time and without my consent, be ordered to active duty to complete a total of 24 months of active duty, and my enlishment may be extended so I can complete the total of 24 months of active
- (1) I am not assigned to, or participating unsatisfactority in, a unit of the Ready Reserve; and
 - (2) I have not met my Reserve obligation; and
- (3) I have not served on active duty for a total of 24 months (10 U.S.C. 12303).
- f. As a member of the Selected Reserve or as a member of the Individual Reserve mobilization category, when the President determines that it is necessary to augment the active forces for any operational mission or for certain emergencies, I may, without my consent, be ordered to active duty for not more than 365 days (10 U.S.C. 12304). My enlistment may be extended during this period without my consent (see paragraph 10g).
- g. During any period members of a Reserve component are serving on active duty pursuant to an order to active duty under authority of 10 U.S.C. 12301, 12302, or 12304, the President may suspend any provision of law relating to my promotion, retrament, or separation from the Armed Forces if the Or his designee determines I am essential to the national security of the United States. Such an action may result in an extension, without my consent, of the length of service specified in this agreement. Such an extension is often called a "atop-lose" extension (10 U.S.C. 12305).
- h. I may, without my consent, be ordered to perform h. I may, without my consent, be ordered to perform additional active duty training for not more than 45 days if I have not fulfilled my military service obligation and fail in any year to perform the required training duty satisfactorily. If the failure occurs during the last year of my required membership in the Ready Reserves, my enlistment may be extended until I perform that additional duty, but not for more than six months (10.11) CC 10.1481 (10 U.S.C. 10148).
- 11. FOR ENLISTEES/REENLISTEES IN THE NAVY, MARINE CORPS, OR COAST GUARD: I understand that if i am serving on a naval vessel in foreign waters, and my enlistment expires, I will be returned to the United States for discharge as soon as possible consistent with my desires. However, if essential to the public interest, I understand that I may be retained on active city until the vessel returns to the United States. If I am retained under these circumstances, Understand I will be discharged not later than 30 days after my understand I will be discharged not later than 30 days after my return to the United States; and, that except in time of war. I will be entitled to an increase in basic pay of 25 percent from the date my enlistment expires to the date of my discharge,
- 12. FOR ALL MALE APPLICANTS: Compiletion of this form 12. FOR ALL MALE APPLICAN IS: COMDISION OF MISIOM CONSTITUTES registration with the Selective Service System in accordance with the Military Selective Service Act. Incident thereto the Department of Defense may transmit my name, permanent address, military address, Social Security Number, and birthdate to the Selective Service System for recording as addresses as the realistantion. evidence of the registration.

(Initials of Enlistee/Floentistee) Blomatrically Signed

HAME OF ENLISTEE/REENLISTEE (Last, First, Middle)		SOCIAL SECURITY NO. OF ENLIS	TEE/REENLISTER	
NESS CHRISTOPHER MIKHAL	<u> </u>		Name of the state	
D. C	ERTIFICATION AND ACC	ACCEPTANCE		
13a. My acceptance for enlistment is based information is false or incorrect, this enlistment by a Federal, civilian, or military court and, if for I certify that I have carefully read this docur C and how they may affect this agreement that only those agreements in Section B ar honored. I also understand that any othe Section B or the attached annex(es) are not	may be voided or terminated und guilty, may be punished. ment, including the partial at . Any questions I had were add Section C of this document promises or quarantees.	is administratively by the Government statement of existing United State a explained to my satisfaction.	nt or I may be tried se laws in Section I fully understand	
b. SIGNATURE OF ENLISTEE/REENLISTEE		c. DATE SIGNED (YYYYMMDD)	7	
Biometrically Signed		20110602 14:21:56		
14. SERVICE REPRESENTATIVE CERTIFICAT	ION	// 17.21.50		
a. On behalf of the United States flist branch of si	enice) NAVV			
I accept this applicant for enlistment. I have we that only those agreements in Section B of this	itnessed the signature in item form and in the attached Ann	1 13b to this document. I certify the sex(es) will be honored, and any other	at I have explained ter promises made	
by any person are not effective and will not be in	C. PAY GRADE	Id thereases were		
	GS-7	J. UNITACOMMAND HAME USN RECRUITING DISTRIC	~ 	
. SIGNATURE	f. DATE SIGNED	g. UNIT/COMMAND ADDRESS (G	lty, State, ZIP Gode)	
Biometrically Signed	20110602 14:21:5	SACRAMENTO 6 CA 95834-1833	•	
	TION OF ENLISTMENT		···	
regulations and the Uniform Code of Military Just 16. IN THE NATIONAL GUARD (ARMY OR AIR				
i, the Constitution of the United States and the State	, do sole	mnly sweer (or affirm) that I will sup		
domestic; that I will bear true faith and allegiance		against all enamies,	, roreign and a linbad States	
and the Governor of	and the orders of	the officers appointed over me, acc	ording to law	
and regulations. So help me God.	A.		-	
17. IN THE NATIONAL GUARD (ARMY OR AIR	i e	•	•	
I do hereby acknowledge to have voluntarily	enlisted/reenlisted this	day of	•	
in the	National Guard and as a	Reserve of the United States (list to	xanch of service)	
National Guard of the United States for a period of	with verte	in membership in the	dana reader the	
conditions prescribed by lew, unless sooner disch	arged by proper authority.	EROBUM,	days, under the	
S.A. SIGNATURE OF ENLISTEE/REENLISTEE		b. DATE SIGNED (YYYYMMOD)	<u> </u>	
Biometrically Signed		20110602 16:01:43		
9. ENLISTMENT/REENLISTMENT OFFICER C a. The above oath was administered, subscribed	ERTIFICATION	:		
b. NAME (Int. For Mide)	c. FAY GRADE	d. Unit/Command Name SACRAMENTO MEPS		
. SIGNATURE	1. DATESIGNED	g. UNIT/COMMAND ADDRESS (CA	ly, Slate, ZIP Code)	
iometrically Signed	(7777/MM(00) 20110802 18:01:43	SACRAMENTO CA 95834-1633		
(initials of Enlistee/Reenlistee) Biometrically Sig	ned			
DD FORM 4/2, OCT 2007	PREVIOUS EDITION IS O			

NAME OF ENLISTEE/REENLISTEE (Last, First, M	iddle)	SOCIAL SECURITY NO OF ENLISTEE/REENLISTEE	
NESS CHRISTOPHER MIKHAL	SOURCE DECORATE NO OF ENDS (EE/REERING)		
F. DISCHAR	GE FROM DELAYED ENTRY/E	NLISTMENT PROGRAM	
20a. I request to be discharged from the	Delayed Entry/Enlistment Program	n (DEP) and enlisted in the Regular Component of the	
United States (list branch of service) NA		for a period of 4 years and	
		on if changes were made they are recorded or	
		on it clianges were made they are recorded or	
which replace(s) Annex(es)			
b. SIGNATURE OF DELAYED ENTRY/ENLISTMEN	IT PROCESALS ENLIGYES		
	Thomas Estable	c. DATE SIGNED (YYYYMMDD) 20110719	
G. APPROVA	L AND ACCEPTANCE BY SER	MICEREPRESENTATIVE	
21. SERVICE REPRESENTATIVE CERTIF		1	
a. This enlistee is discharged from the f	Reserve Component showत्वात item	Stand is accepted for enliatment in the Regular	
Component of the United States (list bre	nch of service) NAVY	in pay grade E-1	
b. NAME (Last, First, Middle)	c. PAY GRADE	d. UNIT/COMMAND NAME	
01011-7118	GS7	USN RECRUITING DISTRICT	
	1. DATE(SIGNED (MXXYYMMOD) 20110719	g. UNIT/COMMAND ADDRESS (City, State, ZIP Code) SACRAMENTO CA 95834-1633	
H. CONF	IRMATION OF ENLISTMENT	OR REENLISTMENT	
22a. IN A REGULAR COMPONENT OF T	HE ARMED FORCES:		
CHRISTOPHER MIKHAL NESS			
- The state of the	, do solemn	nly swear (or affirm) that I will support and defend	
the Constitution of the United States ig	inst all enemies, foreign and dome	satic; that I will bear true faith and allegiance to the	
same; and that I will obey the orders of t	he President of the United States	and the orders of the officers appointed over me,	
according to regulations and the Uniform	Code of Military Justice. So help	me God.	
b. Signature de emilietee/edeminètre		c. DATE SIGNED (YYYYMMDD) 20110719	
23. ENLISTMENT OFFICER CERTIFICAT	TION	1	
a. The above oath was administered, sub		irmed) before me this date.	
h. WAME I art First Middle)	c. PAY GRADE	d. UNIT/COMMAND NAME	
•	0-3	SACRAMENTO MEPS	
	f. DATE SIGNED (YYYYMMDD)	g. UNIT/COMMAND ADDRESS (City, State, ZIP Code)	
	20110719	SACRAMENTO CA 95834-1633	
(Initials of Enlistee/Reenlistee)	<u> </u>		
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Enlistment Guarantees

Name (LAST, FIRST, MIDDLE, JR., ETC.) NESS, CHRISTOPHER MIKHAL

Social Security Number

1. ACKNOWLEDGEMENT: In connection with my enlistment into the United States Navy (Active;) Component I herebytecknowledge that I am enlisting for a total Military Service Obligation (MSO) of 8 years. I fully understand and acknowledge that my MSO consists of an active duty obligation of 5 years as indicated in the options listed below with the remaining 36 months of my MSO served in the Individual Ready Reserve (IRR). I understand my contract has the following guaranteed options which require the indicated active duty service obligation(s):

Option1	SUBMARINE ELECTRONICS COMPUTER FIELD (SECF 5YO) PROGRAM (SUBVOL)
·	requires 4 years active duty obligation and a voluntary extension of 2 months to meet the rating, school, and program guarantee active duty obligation requirement and a voluntary extension of N/A months to meet the enlistment bonus requirement.
Option 2	N/A
Option 3	N/A i
Option 4	NIA

- I understand that I must be fully qualified at all times throughout my obligated service for all security, professional, military, physical, psychological, and academic requirements of the options guaranteed in the above section, and that my eligibility will be rechecked during recruit training and periodically throughout my enlistment.
- 3. The Navy will enroll me in the guaranteed options specified above. (f., during the periodic reviews of my eligibility, I am found no longer eligible for the options listed above because of information I provided in my enlighment application; because of a physical or psychological disqualification; or because of some reason that is not due to my faulth-egilgence, or conduct, I may choose to be reclassified for an enlistment training program for which I'm qualified and a vacancy exists. Interview to have may, at its option, choose to discharge me.
- 4. If I am not enrolled in the guaranteed options specified above bacates of some reason that is due to my fault, negligence, or conduct or if I am disenrolled for any other reason not specified in paragraph,3, then I lose that guarantee and, at the Navy's option, remain subject to continued Naval service. I also understand that if I amtetained, I may be required to serve the rest of my enlistment. If given accelerated advancement, post-apprentice training, or any enlistment incentive, I may incur additional service as required by regulation. The Navy may, at its option, discharge me in accordance with taw and regulation.
- 5. Place your initials in the applicable blocks:

I have read and received a copy of the Glassifier Rating/Program Fact Sheet for the Rating/Program for which I am enlisting and the Statement(s) of Understanding required.	X
I understand that in order to receive the enlistment bonus option that I must remain qualified and serve in the rating/program listed in Option 1.	N/A
I understand that I may waite my homeportoption while at recruit training and become eligible for assignment at the needs of the Navy. If I accept reclassification to another enlistment training program for any reason, then I understand the homeport currentee order becomes null and void.	N/A
	<u> </u>

6/2/11

CUDITORIED ASSESSED AND

6/2/11

Signature of Classifier

PRIVACY ACT NOTIFICATION This document contains information covered under the Privacy Act of 1974, 5 USC 552a and its various implementally regulations and must be protected in accordance with those provisions. You, the recipient/user, are obliged to meintain it in a safe, secure and confidential manner. Re-disclosure without consent or as permitted bylaw is prohibited. Unauthorized re-disclosure or failure to maintain confidentiality subjects you to application of appropriate sanctions. If you have received this correspondence in error; please notify the senter immediately and destroy any copies you have made.

Annex

to DD Form 4 dated Jun 2, 2011

NAVCRUIT 1133/52

(Rev. 10/2010)